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KT photo | **Tim Bath**
Rob Burgess, Tribune night editor

House of Burgess: Let ‘em see, show the world

RFRA supporting businesses should come out

By Rob Burgess
Tribune columnist

It was Friday morning and Gov. Mike Pence had signed Senate Bill 101, the state’s version of the “Religious Freedom Restoration Act,” behind locked doors the day before. Speedway radio station WNOU’s “Kyle & Rachel in the Mornings” took a call from a local restaurateur calling himself only “Ryan.”

“I understand people’s lifestyles and what they want to do,” said the caller. “But I don’t want them bringing that into my place of business, and making me and people there uncomfortable.”

“Ryan” then proceeded to inform the hosts that not only did he plan to refuse service to LGBT customers, he had already done so.

“I have discriminated,” he said. “I have said something was broken in the kitchen and said I couldn’t serve them. ... I told them that the fan was broken and they left.”

If anyone deserved a clarification on what the RFRA meant and did not mean, it was “Ryan” and those like him. Pence had the opportunity to be the one to do it when he appeared Sunday on ABC’s “This Week.” What Pence actually did was refuse at least half a dozen times to answer the first question anyone who has even a remote interest in this law wants to know.

“Does that mean that Christians who want to refuse service or people of any other faith who want to refuse service to gays and lesbians, that it's now legal in the state of Indiana?” asked host George Stephanopoulos again and again.

It was hard to believe Pence could have made an already terrible situation any worse, but he somehow pulled it off. He brought up the 1993 federal version signed by Stephanopoulos’ old boss, President Bill Clinton. Stephanopoulos rightly pointed out Illinois, which Pence continually

iterated was one of the other 19 states to have its own RFRA, also gives LGBT citizens protected class status. Indiana does not.

“I will not push for that,” said Pence. “That's not on my agenda and — that's not been an objective of the people of the state of Indiana.”

Maybe it should be. Utah, for example, also has an RFRA. But, it also has an LGBT protected class. Why do you think people aren’t saying we should boycott Utah?

“Utah's Senate advanced historic compromise legislation that would bar discrimination in housing and employment for the LGBT community, while offering religious liberty protections in the workplace,” reported Jennifer Dobner of The Salt Lake Tribune on March 6.

Pence wants to blame the media coverage for the poor reaction to this rollout, but this disaster was a totally unforced error. As I wrote in my March 5, 2014 column, “Like déjà vu all over again,” Republican then-Arizona Gov. Jan Brewer sidestepped this entire controversy by vetoing the RFRA which landed on her desk. Timing is everything and Pence seems to have no sense of it. Indiana’s RFRA comes after the both gay marriage has arrived in the state and the U.S. Supreme Court has signaled its willingness to go nationwide with it. And, as I wrote in my July 16, 2014 column, “Hobby Lobby’s lobbying hobby,” the nation’s highest court has now

decided closely-held corporations are not only people, but can also hold religious beliefs.

The insidious nature of SB 101 is best expressed by the fact businesses now feel compelled to declare their lack of hate. I never used to wonder if the restaurant I was in hated LGBT people. “Ryan” and those business owners of the same minds need to come out of the closet and identify themselves. You probably won’t have to worry about LGBT people beating your door down to frequent your establishment, believe me. The problem will solve itself.

I totally understand the anger directed toward my home state by the rest of the country. The only thing these people respect will be a swift kick to the pocketbooks. I get it. But, if you do decide to spend money with Hoosier businesses, think about doing it loudly with companies who have declared their willingness to serve all customers.

And, RFRA-supporting business owners, the onus is on you. Declare yourself. Your silence is deafening right now.

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